

House Bill 82

By: Representatives Powell of the 29<sup>th</sup> and Hembree of the 67<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to  
2 uniform rules of the road, so as to provide for certain penalties for a driver who commits a  
3 right of way violation resulting in a collision with a motorcyclist, pedestrian, or bicyclist; to  
4 provide that a driver who violates certain traffic laws and causes serious injury to a person  
5 shall be guilty of a misdemeanor; to provide for related matters; to repeal conflicting laws;  
6 and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules  
10 of the road, is amended by adding a new Code Section 40-6-77 to read as follows:

11 "40-6-77.

12 Any person who causes an injury to another person as a result of a collision with a  
13 motorcyclist, bicyclist, or pedestrian by committing any right of way violation under this  
14 chapter when such motorcyclist, bicyclist, or pedestrian is abiding by the provisions of this  
15 title shall be guilty of a misdemeanor and shall be punished by a fine of not less than  
16 \$250.00 in addition to any period of imprisonment that may also be imposed."

17 **SECTION 2.**

18 Said chapter is further amended in Code Section 40-6-394, relating to serious injury by  
19 vehicle, by designating the existing provisions as subsection (a) and adding a new subsection  
20 (b) to read as follows:

21 "(b) Whoever, without an intention to do so, shall cause bodily harm to another by  
22 depriving him or her of a member of his or her body, by rendering a member of his or her  
23 body useless, by seriously disfiguring his or her body or a member thereof, or by causing  
24 organic brain damage which renders the body or any member thereof useless through a  
25 violation of any other provision of this title other than Code Section 40-6-390 or 40-6-391

1 shall be guilty of the crime of serious injury by vehicle. A person convicted under this  
2 Code section shall be guilty of a misdemeanor and shall be punished as provided in Code  
3 Section 17-10-3."

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.